

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

**IN RE 2014 RADIOSHACK ERISA
LITIGATION**

**THIS DOCUMENT RELATED TO: ALL
ACTIONS**

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Master File No. 4:14-cv-959-O

ORDER

Before the Court is the RadioShack Defendants' Unopposed Motion for Leave to File Notice of Supplemental Authority in Support of the Radioshack Defendants' Motion to Dismiss Plaintiffs' Second Amended Consolidated Class Action Complaint and to Strike Jury Demand (ECF No. 190), filed July 14, 2016. Plaintiffs are unopposed to this motion. Mot. Leave 2, ECF No. 190. Having considered Defendants' Motion and the applicable law, the Court finds that Defendants' Motion should be and is hereby **GRANTED**.

Local Civil Rule 56.7 provides: "Except for the motions, responses, replies, briefs, and appendixes required by these rules, a party may not, without the permission of the presiding judge, file supplemental pleadings, briefs, authorities, or evidence." L.R. 56.7. The Court "generally discourages attempts to file supplemental authorities if the authorities were previously available when a party submitted its motion, response, or reply brief," but [w]hen supplemental authority issues after briefing is complete . . . the court will generally permit a party to file a notice of supplemental authority without seeking formal leave of court." *Highland Capital Mgmt. L.P. v. Bank of Am., Nat. Ass'n*, No. 3:10-CV-1632-L, 2013 WL 4502789, at *28 (N.D. Tex. Aug. 23, 2013)

(Lindsay, J.), *aff'd sub nom, Highland Capital Mgmt., L.P. v. Bank of Am., N.A.*, 574 F. App'x 486 (5th Cir. 2014). Rule 56.7 does not require a showing of “good cause,” as permission resides “entirely within the presiding judge’s discretion.” *Id.*

Accordingly, it **ORDERED** that the RadioShack Defendants’ Motion for Leave to File Notice of Supplemental Authority (ECF No. 190) is **GRANTED**. It is **FURTHER ORDERED** that Plaintiffs are permitted to file a response of equal length to Defendants’ Notice of Supplemental Authority.

SO ORDERED on this **15th day of July, 2016**.


Reed O'Connor
UNITED STATES DISTRICT JUDGE